

Message Text

UNCLASSIFIED

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ACTION IO-11

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CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05

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TO SECSTATE WASHDC PRIORITY 6782

INFO AMEMBASSY MOSCOW

AMCONSUL LENINGRAD

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TAGS: PINS, UR, PFOR, ASEC

SUBJECT: SOVIET MISSION NOTE DATED APRIL 7, 1976 TO USUN.

REF: STATE 084711, USUN 616

1. SMUN NOTE OF APRIL 7 REPLIES TO OURS OF MARCH 19 IN WHICH WE REFERRED TO A FEBRUARY 12 HARASSMENT INCIDENT AND NOTED THAT TESTIMONY FROM TWO SOVIET WITNESSES WAS NEEDED IN ORDER FOR PROSECUTION TO GO FORWARD UNDER FEDERAL ACT FOR PROTECTION OF FOREIGN OFFICIALS.

2. SMUN NOTE SAYS THAT US POSITION THAT PROSECUTION DEPENDS ON TESTIMONY OF DIPLOMATS IS CONTRARY TO INTERNATIONAL LAW. TEXT OF INFORMAL TRANSLATION OF SOVIET NOTE IS AS FOLLOWS:

QUOTE INFORMAL TRANSLATION OF SOVIET MISSION NOTE NO. 253 TO USUN, 4/7/76

"THE PERMANENT MISSION OF THE SOVIET UNION PRESENTS ITS COMPLIMENTS TO THE PERMANENT MISSION OF THE UNITED STATES AND IN CONNECTION WITH THE LATTER'S REPLY NOTE OF MARCH 19, UNCLASSIFIED

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1976 HAS THE HONOR TO STATE THE FOLLOWING:

"THE CIRCUMSTANCES AND CHARACTER OF THE CRIMINAL ATTACK OF FEBRUARY 12, 1976 BY A GROUP OF TERRORISTS FROM THE FASCISTIC ZIONIST MAFIA, WELL-KNOWN TO THE AMERICAN AUTHORITIES, UPON EMPLOYEES OF THE SOVIET MISSION AND UPON A SOVIET CITIZEN EMPLOYED BY THE UN SECRETARIAT, WERE THOROUGHLY SET FORTH IN IN THE SOVIET MISSION'S NOTE NO. 98 OF FEBRUARY 13, 1976. ALSO GIVEN IN IT WERE THE NAMES AND ADDRESSES OF THE PARTICIPANTS IN THIS TERRORISTIC ACT. FURTHERMORE, THESE MALEFACTORS WHO ATTACKED SOVIET CITIZENS WERE ARRESTED BY THE POLICE, WHICH AS A CONSEQUENCE HAS AS ITS DISPOSAL FULL DATA ABOUT THESE TERRORISTS WHO ATTACK FOREIGN DIPLOMATS--GUESTS OF THE HOST COUNTRY--AND THEREBY IGNORE AND CRUDELY VIOLATE ITS LAWS. THEREFORE THE AMERICAN POLICE AND JUDICIAL AUTHORITIES HAVE ALL THE NECESSARY FACTS AT THEIR DISPOSAL TO BRING TO JUSTICE AND DULY PUNISH THESE TERRORISTS.

"AS FOR THE ATTEMPTS TO MAKE THE PROSECUTION OF THE CRIMINALS DEPEND ON THE TESTIMONY OF FOREIGNERS WHO ENJOY DIPLOMATIC IMMUNITY, THEY ARE UNTENABLE, SINCE THEY CONTRADICT INTERNATIONAL LEGAL NORMS, SET FORTH IN A SERIES OF INTERNATIONAL AGREEMENTS TO WHICH THE US IS A PARTY, INCLUDING THE 1961 VIENNA CONVENTION ON DIPLOMATIC RELATIONS.

"IN VIEW OF THE FOREGOING THE SOVIET MISSION RE-ASSERTS ALL THOSE FACTUAL POSITIONS AND DEMANDS CONTAINED IN ITS NOTE NO. 98 OF FEBRUARY 13, 1976." UNQUOTE
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